

MITIGATED NEGATIVE DECLARATION

September 14, 2006

Project Name: Calavo

Project Number(s): TM 5350, Log No. 03-02-070

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for stormwater and drainage

1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

- The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 10.
2. Specific Conditions:
 - a. Improve or agree to improve and provide security for the construction of Calavo Road along the project's westerly boundary in accordance with the Public Residential Collector Road Standards, to a graded width of thirty feet (30') from centerline with twenty feet (20') of asphaltic concrete pavement over approved base, with asphalt concrete dike and Class II walkway with face of dike at twenty feet (20') from centerline, with taper transitions constructed to meet existing improvements, and with curb returns at the intersection with the proposed to-be-named private access road, all to the satisfaction of the Director of Public Works.
 - b. Improve or agree to improve or agree to improve and provide security for the to-be-named private easement road, from Calavo Road easterly to the terminus cul-de-sac at the juncture of Lots 3, 4, and 5 to a graded width of forty feet (40') and to an improved width of thirty-six feet (36') with asphalt concrete pavement over approved base with mountable asphalt concrete dike with face of dike at eighteen feet (18') from centerline. The center of improvements shall be centered within the offered right of way. The improvement and design standards of Section 3.1(B) of the County Standards for Private Streets for seven hundred fifty (750)

or less trips shall apply. The access road shall be un-gated. All of the above shall be to the satisfaction of the Director of Public Works.

- c. At the terminus of the to-be-named private easement road near the juncture of Lots 3, 4, and 5, provide a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with mountable asphalt concrete dike with face of dike at thirty-six feet (36') from the radius point. The center of improvements shall be centered within the offered right of way. All of the above shall be to the satisfaction of the Director of Public Works.
- d. Provide a signed statement by a registered civil engineer, a registered traffic engineer, or a licensed land surveyor that: "Physically, there is a minimum unobstructed sight distance along Calavo Road from the TM 5350 subdivision access road, for the prevailing operating speed of traffic on Calavo Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- e. Include within the required road improvements for Calavo Road, construction of a pathway along the eastern portion of Calavo Road, within the road right-of-way. The Pathway construction shall conform to County Public Road Standards. The outer 10 feet (10') of road right-of-way for Calavo Road shall be designated on the Final Map as Non-title Information, "Reserved for Non-Motorized Recreation and Transportation Purposes".

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
 - a. Construct off-site storm drain facilities to adequately provide for drainage from the project to the satisfaction of the Director of Public Works.

- b. The private storm drain system shall be privately maintained by a private maintenance mechanism such as a homeowners association or other private entity acceptable to the satisfaction of the Director of Public Works.
- c. A Waiver and Release Agreement shall be obtained from each property owner who is impacted by significant changes in runoff as a result of the subdivision, to the satisfaction of the Director of Public Works.

(Grading Plans)

- 5. Standard Conditions 19(a-d).
- 6. Specific Conditions:
 - a. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424, Ordinance No. 9426, and Ordinance No. 9518) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

DEVELOPMENT IMPACT FEES

- 7. Specific Conditions:
 - a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
 - b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse

the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

- c. Participate in the cost of a traffic signal installation at the intersection of Reche Road at Stage Coach Lane. The amount of the developer's portion of the entire cost of the signal shall be \$270. The Planning Commission/Board of Supervisors hereby determines that:
 - (1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
 - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Reche Road at Stage Coach Lane;
 - (3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
 - (4) This residential subdivision will contribute additional traffic to the intersection of Reche Road at Stage Coach Lane; and
 - (5) The fee of \$270 is based on an estimate of the percentage of traffic this project will contribute to this intersection.
- d. Participate in the cost of a traffic signal installation at the intersection of Calavo Road at Stage Coach Lane. The amount of the developer's portion of the entire cost of the signal shall be \$540. The Planning Commission/Board of Supervisors hereby determines that:
 - (1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
 - (2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Calavo Road at Stage Coach Lane;
 - (3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;

- (4) This residential subdivision will contribute additional traffic to the intersection of Calavo Road at Stage Coach Lane; and
- (5) The fee of \$540 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

FINAL MAP RECORDATION

(Streets and Dedication)

8. Specific Conditions:

- a. With the Final Map, dedicate, or caused to be granted the project half of Calavo Road, along the project frontage in accordance with Public Residential Collector Road Standards for a one-half width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- b. With the approval of the Final Map, offer to dedicate the to-be-named project access road from Calavo Road easterly to the terminus cul-de-sac at the juncture of Lots 3, 4, and 5 in accordance with Public Residential Cul-de-sac Road Standards to a width of fifty-two feet (52'), together with twenty-foot (20') radius property line corner roundings, and a terminus cul-de-sac of forty-eight foot (48') radius, and together with right to construct and maintain slopes and drainage facilities. The Final Map shall be prepared to show the offer being rejected and shall show the ultimate limits of the slopes and drainage facilities.
- c. Relinquish access into Calavo Road except for the to-be-named project private easement road to the satisfaction of the Director of Public Works.
- d. Dedicate on-site and off-site drainage easements to the satisfaction of the Director of Public Works.
- e. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all

adjacent property owners and solicited their participation in the extension of utilities.

- f. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
 - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
 - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- g. If the proposed private road is to be a separate lot, it shall have a lot number consecutive with the other lot numbers.
- h. An avigation easement is required to the satisfaction of the Director of Public Works.
- i. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- j. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

(Miscellaneous)

9. Standard Conditions 25, 26, 27, and 28.

WAIVER AND EXCEPTIONS

These recommendations are pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public Road and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the following:

a. Standard Conditions for Tentative Maps:

- (1) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (2) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.
- (3) Standard Condition 12: Said condition pertains to the improvement of trails. This waiver will permit the improvement of trails, if improvement occurs, to be constructed to the satisfaction of the Director of Public Works.
- (4) Standard Condition 22: Said condition pertains to projects that require subsurface sewage disposal systems. The project proposes to receive sewer service from the Fallbrook Public Utility District.
- (5) Standard Condition 24: Said condition pertains to projects that are located outside of the boundaries of a fire protection district. The project is located within the boundaries of the North County Fire Protection District and is eligible for service.

b. County Public Road Standards:

- (1) Section 6.1.C.1 and Section 6.1.C.2 of County standards for Public Roads require a minimum separation between driveways and between driveways and roads entering non-Circulation Element roads of two hundred feet (200'). This waiver is modification of

Section 6.1.C.1 and Section 6.1.C.2 to permit location of proposed project access street along Calavo Road within 200 feet of existing driveways provided that in final plans, consideration should be given to avoid a driveway being hidden around a corner by landscaping.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

DEVON MUTO, Planning Manager
Regulatory Planning Division

DM:MH:jcr

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